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Attorney's Docket No.: 07844-423001 / P387

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ioana M. Danciu
Serial No. : 09/644,136
Filed : August 22, 2000
Title : SELECTING RENDERING INTENTS

Art Unit : 2672
Examiner : Ryan R. Yang

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF NOVEMBER 21, 2003

In reply to the Office Action of November 21, 2003, Applicant submits the following remarks.

Claims 1-18 are pending in the application. Claims 1-6 and 8 stand rejected under 35 U.S.C. § 102(b) as anticipated by Luisa Simone, "Web Graphics Software Packages: Software Review: Evaluation," PC Magazine, v. 17, No. 19, Nov. 1998 ("Simone"). Claims 9-10, 12-15, and 18 stand rejected under 35 U.S.C. § 103(a) as obvious in view of Simone and U.S. Patent No. 6,004,270 to Urbano et al. ("Urbano"). Claims 7 and 11 stand rejected under 35 U.S.C. § 103(a) as obvious in view of Simone, and U.S. Patent No. 5,231,504 to Magee ("Magee"). The Applicant respectfully traverses the Examiner's grounds for rejecting claims 1-18, and requests the final rejection be withdrawn, and claims 1-18 be allowed to issue for the reasons noted below.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

January 21, 2004
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SIMONE FAILS TO DISCLOSE RECEIVING A PLURALITY OF RENDERING INTENTS

Claims 1-18 recite methods and computer program products implementing methods for selecting a rendering intent, comprising "receiving a plurality of rendering intents . . . defin[ing] a mapping of colors from a source color gamut to a destination color gamut." A rendering intent is "any algorithm that defines a transformation or mapping of colors from one color gamut to another color gamut." Specification, p.1, ll. 21-23. A color gamut is the full range of colors that a device such as a color printer or color monitor is capable of producing. The Examiner reads Simone to disclose this limitation on page 24 at ¶ 1, and on page 23 at ¶ 2. The applicant respectfully disagrees, and traverses the Examiner's rejection as follows.

The Simone reference is a review of "11 web graphics development software packages," including Macromedia's Fireworks program. *See* Simone at p. 1. The Fireworks program is said to store images in PNG format, but to have the ability to import images stored in "PSD, Adobe Illustrator, CorelDraw, Macromedia Freehand and other *bitmapped and vector file formats*." *Id.* (emphasis added). At page 24, ¶ 1, the Simone reference merely repeats that Fireworks "can *import* a wide variety of *bitmapped and vector file formats*." (emphasis added). A bitmapped file format is one in which an image is stored on a pixel by pixel basis, while a vector file format is one in which an image is stored as a series of mathematically defined objects such as lines and curves having editable attributes such as color, fill, and outline. However, the disclosure that Fireworks can receive files stored in either bitmapped or vector file formats neither discloses nor suggests that Fireworks can "receiv[e] a plurality of a rendering intents . . . defin[ing] a mapping of colors from [a] source color gamut to a destination color gamut" as recited in claims 1-18.

To supply this missing limitation, the Examiner refers to Simone's disclosure of color palettes on page 23 at ¶ 2. However, a color palette is a limited set of colors in a given color gamut for painting a graphical object within that same color gamut. It is not "a mapping of colors from [a] source color gamut to a destination color gamut" as are the rendering intents recited in claims 1-18. Since the Simone reference fails to teach or suggest "receiving a plurality of rendering intents . . . defin[ing] a mapping of colors from [a] source color gamut to a

destination color gamut" at page 24, ¶1 or page 23, ¶ 2 as the Examiner suggests, claims 1-18 are patentable over the Simone reference for at least this reason.

SIMONE FAILS TO DISCLOSE GENERATING A PLURALITY OF RENDERED IMAGES BY USING THE RECEIVED PLURALITY OF RENDERING INTENTS

Claims 1-18 similarly recite "generating a plurality of rendered images by rendering the source image using the received plurality of rendering intents." The Examiner reads Simone to disclose this limitation at page 8, ¶ 3 and at page 22, ¶ 1. The applicant respectfully disagrees, and traverses the Examiner's rejection for at least the following reasons.

First, Simone fails to disclose receiving a plurality of rendering intents as discussed above. Consequently, it necessarily fails to disclose "generating a plurality of rendered images by rendering the source image using the received plurality of rendering intents" as recited in claims 1-18. Second, the Fireworks program discussed in Simone optimizes graphical objects by allowing a user to select different output file formats (e.g., JPEG, GIF, or PNG), and different compression levels in each format to minimize the output file size. Thus, at page 24, ¶ 1, Simone discloses that Fireworks "can display as many as four optimized versions of a file at once. Each preview can have different export formats and settings, and Fireworks displays the size of the optimized file and its estimated download time." On page 22, ¶1 et seq., Simone similarly discloses that Fireworks can preview output files having different file formats (e.g., JPEG, GIF, or PNG), different numbers of colors (e.g., 24-bit, 16-bit, or 8-bit), or that use different color palettes (e.g., adaptive or web-safe). At page 8, ¶ 3, Simone simply discloses that it is the Export Dialog box that "performs all conversions, color reductions, and compression operations" when exporting an image into different output file formats. Significantly, none of these disclosures in Simone either teaches or suggests "generating a plurality of rendered images by rendering the source image using the received plurality or rendering intents" as recited in claims 1-18. Consequently, claims 1-18 are patentable over Simone for at least this reason as well.

SIMONE FAILS TO DISCLOSE PROVIDING A PLURALITY OF CONTRAST MODES OR RECEIVING INPUT SELECTING A CONTRAST MODE

Claims 1-8 also recite "providing a plurality of contrast modes," and "receiving input selecting a contrast mode." Claim 2 recites that in one mode, rendered images can be contrasted "by simultaneously previewing them as a plurality of rendered images." Claim 3 recites that in another mode, rendered images can be contrasted "by simultaneously previewing them as a plurality of rendered differences." The specification does the same, indicating that the plurality of images generated by rendering the source image with a plurality of rendering intents can be contrasted either by "simultaneously previewing the rendered images" or by "simultaneously previewing rendered image differences." Specification, p. 6 at ll. 3-7. To choose between these contrast modes, the specification discloses prompting a user "to enter input to contrast either rendered images or rendered differences." *Id.* at ll. 8-9.

The Examiner reads Simone to disclose "providing a plurality of contrast modes," and "receiving input selecting a contrast mode" at page 22, ¶ 1. The applicant respectfully disagrees, and traverses the Examiner's rejection for at least the following reasons.

First, the Examiner has previously read this very same passage in Simone to disclose "generating a plurality of rendered images by rendering the source image using the received plurality of rendering intents." Assuming *arguendo* that this passage in Simone does in fact disclose that limitation, the same disclosure cannot also disclose "providing a plurality of contrast modes" and "receiving input selecting a contrast mode" to determine *how* to contrast the plurality of rendered images, all of which have already been created. Simply put, the Examiner cannot read the same passage in Simone to mean two different things in two different limitations of the same claim.

Second, as explained above, at page 22, ¶ 1 Simone simply discloses that the Fireworks program can preview output files having different file formats (e.g., JPEG, GIF, or PNG), using different numbers of colors (e.g., 24-bit, 16-bit, or 8-bit), or different color palettes (e.g., adaptive or web-safe). It does not teach or suggest "providing a plurality of contrast modes," or

"receiving input selecting a contrast mode," as recited in claims 1-8. Consequently, claims 1-8 are patentable over Simone for at least these reasons as well.

THERE IS NO MOTIVATION TO COMBINE SIMONE AND URBANO

Claims 9-18 recite methods and computer program products for selecting a rendering intent comprising "simultaneously previewing a plurality of difference images, wherein each difference image is generated from one of the plurality of rendered images and a reference image." The Examiner admits that Simone fails to disclose previewing a plurality of difference images. However, the Examiner argues that Urbano does, and that it would be obvious "to incorporate the teaching of Urbano into Simone because a method for selecting rendered image and Simone discloses the rendered image can be processed to display difference image in order to improve alignment process." To the extent the applicant understands the Examiner's argument, the applicant respectfully disagrees with it, and traverses the rejection of claims 9-18 as obvious in view of the combination of Simone and Urbano.

As explained above, Simone is a review of "11 web graphics development software packages," including Macromedia's Fireworks program. See Simone at p. 1. The Fireworks program is a program for optimizing graphical objects by allowing a user to select different output file formats (e.g., JPEG, GIF, or PNG), and different amounts of compression in each format in order to minimize the output file size. The Urbano patent discloses a "difference image processing scheme ... for imaging anatomic structures or vessels which have periodic physiological motion that define physiological cycles." Abstract. In the Urbano patent, a reference image is taken and subsequently compared to a sequence of real-time images until a closely aligned image is found. When a closely aligned image is found, the difference between the reference image and the closely aligned image is calculated. *Id.*

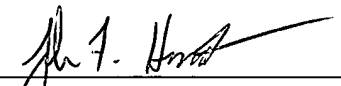
To establish a *prima facie* case of obviousness, the Examiner must find motivation to combine the teachings of Simone and Urbano. The Examiner seems to argue that the motivation to combine is "to improve the alignment process" discussed in either Urbano or Simone. However, the Fireworks program discussed in Simone optimizes the display of a graphical object

by displaying the same object in a plurality of output files having different file formats and compression levels. Since the same object is displayed in each of the previewed output files, the files would be perfectly aligned if placed on top of each other. Thus, there is no alignment problem to fix or improve upon in the Fireworks program, and so no motivation to combine the alignment process taught by Urbano with the Fireworks program disclosed in Simone as suggested by the Examiner. Consequently, the Examiner has failed to establish a *prima facie* case of obviousness, and claims 9-18 are patentable over the combination of Simone and Urbano for at least this reason.

Claims 1-18 are believed to be patentable over Simone or the combination of Simone and Urbano for the reasons noted above. Consequently, the applicant respectfully requests the Examiner to withdraw the final rejection of claims 1-18, and to allow these claims to issue. No fees are believed due, however, please apply any applicable charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 11/21/04



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